REMARKS

Claims 28-32 and 38-43 are pending. Claim 28 has been amended to incorporate the recitations of claims 30, 38 and 39, which have been canceled. Claims 40-43 also have been canceled. No new issue requiring further search is presented by the incorporation of claims 30, 38 and 39 into claim 28, and therefore entry of the amendment is deemed proper and its entry is respectfully requested. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, along with appropriate defined status identifiers. Claims 28, 29, 31, and 32 are presented for further consideration.

The examiner indicates that the oath or declaration is defective, based on his belief that the present application is a continuation-in-part application. Based on the prior discussion with respect to the rejection under Section 112 for lack of written description, and the presently proposed amendment of claim 28, applicant maintains that present application is a continuation which is entitled to the priority date of application serial no. 08/289,576. Therefore, a new oath or declaration is not required.

Claims 28-32 and 38-43 are rejected under Section 112, first paragraph, as failing to comply with the written description requirement. In the present response, claim 28 has been amended to incorporate the recitations of claims 30, 38 and 39, so that it now specifies that the heavy chain FR4 is selected from the human NEWM antibody, the light chain framework regions are selected from the human REI antibody, and the heavy chain FR1, FR2 and FR3 are selected from the human EU antibody. These are the selections used in the humanized LL2 antibody that is described in the present application, and therefore the proposed amendment addresses certain concerns raised by Examiner Blanchard at an interview on August 2, 2007. These amendments are clearly supported in the original priority document. Moreover, applicant has used these same selections to produce other humanized antibodies, including humanized Immu31, humanized A20, humanized A19, and humanized 1F5, demonstrating that the presently claimed selections are useful to produce a genus of humanized antibodies that differ in their specificities.

Claims 28-32 and 38-43 are rejected under Section 102(b) based on Leung *et al.* US 5,789,554 or on Leung *et al.* (1995). Neither of these documents is effective as a reference against the present application, as detailed in applicant's previous responses, which are incorporated herein by reference. More particularly, the instant application is a continuation of

USSN 09/741,843, filed 12/22/00, which was a continuation of USSN 09/127,902, filed 8/3/98 (now U.S. Patent No. 6,187,287), which was a continuation of USSN 08/690,102, filed 7/31/96 (now U.S. Patent No. 5,789,554), which was a continuation of USSN 08/289,576, filed 8/12/94. Support for the instant claimed subject matter may be found going back to the original priority document, USSN 08/280,576, filed 8/12/94.

If there are any problems with this response, or if the examiner believes that a telephone interview would advance the prosecution of the present application, Applicant's attorney would appreciate a telephone call. In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,

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